

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LISA A. BIRON (ID #12775-049),
Petitioner,

VS.

JODY R. UPTON, Warden,
FMC-Carswell,
Respondent.

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Civil Action No. 4:14-CV-772-O

**ORDER PERMITTING PROCEEDING IN THE DISTRICT COURT,
SPECIFYING FURTHER ACTION BY THE CLERK OF COURT, AND
ORDER AND INSTRUCTIONS TO PARTIES**

(X) A filing fee in the amount of \$5.00 has been tendered.

() Pursuant to the provision of 28 U.S.C. § 1915, permission is hereby granted for the above named petitioner to proceed *in forma pauperis* in this cause.

It is therefore ORDERED that the clerk of the Court shall take the following indicated action, and the parties shall comply with the following directives:

(X) On behalf of Respondent, a copy of the petition, pending motions, and any orders shall be served electronically on the United States Attorney for the Northern District of Texas.¹ N.D. TEX. L. CIV. R. 5.1(e). Responsive pleadings must be filed by her within sixty (60) days from the date of this order. A copy of this order and all responsive pleadings should be served on Petitioner, if pro se, by mail or, if represented by counsel, by electronic means. *Id.* 5.1(e).

Although Petitioner is not required to file a Reply, any Reply Brief must be filed within thirty (30) days following service of Respondent's response/answer. Each paragraph of such reply brief must specify the precise paragraph or part of Respondent's brief to which reply is being made, and must be limited to a reply to Respondent's argument. A copy of any reply must be served upon counsel for the Respondent, and a certificate reflecting such service shall be included in the reply. Under no circumstances will any statement or argument set forth in a reply brief be considered as a part of the pleadings so as to advance new grounds for relief or to supplement any ground or support facts set out in the petition.

Thereafter, any further pleadings by Petitioner or the United States Attorney should only be with permission or by order of the Court.

SO ORDERED on this 1st day of October, 2014.


Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹Such service shall be directed to the attention of the Deputy Civil Chief, United States Attorney's Office, Fort Worth Division.